In the High Court of Judicature at Madras

Dated: 23.10.2007

Coram

The Honourable Mr.JUSTICE CHANDRU

Writ Petition No.33621 of 2007

D.Maragathamani .... Petitioner

Vs.

The Commissioner of Social Defence,
Chennai - 10. .... Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of writ of mandamus to direct the respondent to transfer the petitioner from Salem to Chennai and dispose of the petitioner's representation dated 10.07.2007.

For Petitioner : Mr.S.Ilamvaludhi

O R D E R

The petitioner was originally employed as a Record Clerk. She did not come for work for more than a year. Hence, she was removed from service by an order dated 12.7.1995.

2. Thereafter, she filed an appeal and the same was rejected by the Government after consulting the Tamil Nadu Public Service Commission. However, the petitioner once again appealed to the Government for re-considering the decision.

3. The Government for the reasons best known to them accepted her request and demoted the petitioner to the original post of Matron Grade III. The period of interregnum was also regulated by G.O.(2D) No. 34, Social Welfare and Noon Meal Department dated 12.4.2007. It was thereafter the petitioner by an order dated 4.7.2007 was posted to work as third grade Matron at the Salem Government Vigilance Home.

4. The petitioner in the present writ petition seeks for a re-transfer to some other home at Chennai on the ground that her family is at Chennai.

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5. The petitioner had the benefit of Government's indulgence of getting re-instatement despite having lost her appeal earlier. The grounds raised for re-transfer to Chennai cannot be granted as a matter of right. It is for the Government to post the petitioner at the appropriate place especially after allowing her mercy petition.

6. The writ petition is misconceived and accordingly the same is dismissed. No costs.

sl

Sd/-
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Commissioner of Social Defence, Chennai - 10.

+1 cc to The Government Pleader Sr.No.63924.

KM(CO)
dcp/29.10

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